



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street
New York, New York 10007*

June 11, 2025

BY ECF

Hon. Margaret M. Garnett
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

*Re: Northeast Organic Farming Assoc. of N.Y., et al. v. U.S. Dep't of Agriculture,
No. 25 Civ. 1529 (MMG)*

Dear Judge Garnett:

This Office represents the United States Department of Agriculture ("USDA" or the "Government") in the above-referenced action brought by Northeast Organic Farming Association of New York, Natural Resources Defense Council, and Environmental Working Group (collectively, "Plaintiffs") under the Administrative Procedure Act ("APA") and the Freedom of Information Act ("FOIA").

The parties write respectfully to provide the Court with a status update, as required by the Court's May 13, 2025 order. *See* ECF No. 31. USDA has made significant progress in restoring the climate-change-related web content that was removed post-Inauguration. USDA has already restored all of the web content expressly referenced in Plaintiffs' Complaint, *see* ECF No. 1, and it is working to complete its restoration of the remaining content. In the meantime, Plaintiffs have requested information from the Government that Plaintiffs think is necessary to determine appropriate next steps. Specifically, Plaintiffs have asked the Government to provide a complete list of all climate-change-related web content that USDA removed post-Inauguration, as well as an explanation as to the nature and duration of the "review" referenced in disclaimers that now appear on restored climate-change-related webpages. *See, e.g., Climate Tools and Data*, U.S. Forest Serv., <https://www.fs.usda.gov/managing-land/sustainability-and-climate/data-dashboard> (last visited June 11, 2025) (stating that "[e]ffective beginning 5/20/2025," "[t]his website, and all linked websites under the control of the agency is under review and content may change."). The Government is working to gather the requested information.

In light of these developments, the parties propose submitting a joint status report in 21 days, on July 2, updating the Court further and setting forth the parties' respective positions about appropriate next steps in this litigation.

The parties thank the Court for its attention to this matter.

The parties are ORDERED to submit a joint status report by **July 2, 2025**.

SO ORDERED. Dated June 16, 2025.



HON. MARGARET M. GARNETT
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

JAY CLAYTON
United States Attorney for the
Southern District of New York

By: /s/ Mark Osmond
ILAN STEIN
MARK OSMOND
Assistant United States Attorneys
86 Chambers Street, 3rd Floor
Tel.: (212) 637-2525/2713
E-mail: ilan.stein@usdoj.gov
mark.osmond@usdoj.gov